

0:0:0.0 --> 0:0:0.590

doug bent (Guest)

Here we go.

0:0:13.400 --> 0:0:16.390

DLL - BARR 1311 Rt 302 Boardroom

Good evening everyone. Get started here in just a minute.

0:0:35.660 --> 0:0:57.800

DLL - BARR 1311 Rt 302 Boardroom

Alright, being on or around 5:00 PM on January 20th, 2023, I, Skyler Jenness, senior director of licensee operations for the Department of Liquor and Lottery. I'm opening this public comment meeting of the Department of Liquor and Lottery being held at our offices and Barry, as well as virtually via Microsoft Teams. This meeting is being recorded and transcribed.

0:0:59.820 --> 0:1:2.990

DLL - BARR 1311 Rt 302 Boardroom

Or all public transparency purposes.

0:1:5.320 --> 0:1:11.150

DLL - BARR 1311 Rt 302 Boardroom

And will be made public as required by Title three, Chapter 25 of the Vermont Statutes Annotated.

0:1:12.90 --> 0:1:23.500

DLL - BARR 1311 Rt 302 Boardroom

The legislators, the legislature specifically via Title 7, subsection 108, has empowered the Board of Liquor and Lottery to adopt rules as necessary to enforce the provisions of Title 7.

0:1:24.480 --> 0:1:33.360

DLL - BARR 1311 Rt 302 Boardroom

Furthermore, the legislature, via Title 31 via a 1208, has empowered the Commissioner of Liquor and Lottery to adopt rules for licensure and handling of proceeds.

0:1:34.790 --> 0:1:49.600

DLL - BARR 1311 Rt 302 Boardroom

The rules adopted by the Board of Liquor and Lottery include several groups of regulations to ensure public safety by preventing the misuse of alcohol and tobacco through control controlled distribution, providing for applicable enforcement and establishing robust education requirements.

0:1:50.700 --> 0:2:5.310

DLL - BARR 1311 Rt 302 Boardroom

Several legislative acts as enacted by the Vermont Legislature in the recent years, have amended significant portions of Title 7, including the consolidation of the departments of Liquor and Lottery. As such, many contradictions between statute and regulation have emerged.

0:2:6.200 --> 0:2:12.340

DLL - BARR 1311 Rt 302 Boardroom

Additionally, the impact of modern business practices is ever changing, and regulatory agencies must remain agile to respond.

0:2:13.440 --> 0:2:28.850

DLL - BARR 1311 Rt 302 Boardroom

This proposed rule as the board and the Commissioner have promulgated removes general regulations 9394446 advertising Regulation 2, Section 7.

0:2:29.640 --> 0:2:37.140

DLL - BARR 1311 Rt 302 Boardroom

Wholesale regulations 4-5 and seven and education, regular regulation 4-5 and six.

0:2:37.920 --> 0:2:42.660

DLL - BARR 1311 Rt 302 Boardroom

And many additional sections and regulations were updated, renumbered and clarified.

0:2:43.920 --> 0:3:5.580

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The Board of Liquor and Lottery has drafted several groups of regulations to ensure public safety by preventing the misuse of alcohol and tobacco through controlled distribution, providing for applicable enforcement and establishing robust education requirements, thus ensuring the proper administration of all distribution and sale of regulated substances and games of chance.

0:3:6.690 --> 0:3:18.390

DLL - BARR 1311 Rt 302 Boardroom

In order to modernize and deconflict our regulatory model, recent drafting process involved in extensive study of issues over 11 hours of working group discussions and input from industry stakeholders.

0:3:19.40 --> 0:3:20.40

DLL - BARR 1311 Rt 302 Boardroom

The result of the proper.

0:3:20.820 --> 0:3:32.930

DLL - BARR 1311 Rt 302 Boardroom

Directly reflects an attempt to accommodate a modern beverage. The modern beverage alcohol landscape, a tobacco retailing and gaming landscapes in Vermont with a clear goal of simplifying and modernizing the current regulations.

0:3:33.920 --> 0:4:5.730

DLL - BARR 1311 Rt 302 Boardroom

With that, I'm opening this meeting up for any and all public comment. I will start with a any in person comments first, which I believe there are none currently. So we'll move to online attendees. I would ask, I don't think there are many of you online, but those that are our online who would be interested in speaking if you could just use the hand raise function of the Microsoft Teams platform or wait until we have a break in speaking if you have a hard time finding it. Just wanna do this orderly so that we're not speaking over each other.

0:4:6.630 --> 0:4:24.820

DLL - BARR 1311 Rt 302 Boardroom

Uh, those that are recognized to speak when called upon. If you could state your name for the record and then the the floor is certainly yours. So with that I'll open it up for public comment to any anyone on the teams platform that would wish to speak. You wouldn't mind just raising your hand and you will be recognized.

0:4:35.760 --> 0:4:43.810

DLL - BARR 1311 Rt 302 Boardroom

Mr I see. Doug bent. Doug, you can. You can go first, please. Again. Just state your name for the record and the floor is yours.

0:4:47.50 --> 0:4:49.300

DLL - BARR 1311 Rt 302 Boardroom

You are muted, Mr Bent.

0:4:51.120 --> 0:4:52.430

doug bent (Guest)

Yep, sorry about that.

0:4:52.910 --> 0:4:53.420

DLL - BARR 1311 Rt 302 Boardroom

That's OK.

0:4:53.530 --> 0:4:56.950

doug bent (Guest)

Thank you. Thank you for holding this meeting and we appreciate it.

0:4:58.770 --> 0:5:7.960

doug bent (Guest)

I'm here. We're Chief Shirley Hart. I'm a member of the Kawasaki, the Kohl's Tribal Council also.

0:5:9.300 --> 0:5:14.870

doug bent (Guest)

I'm the director of the White Pine Association, which has the 501C3 for the tribe.

0:5:15.950 --> 0:5:22.140

doug bent (Guest)

And let Shirley introduce herself. I'm Shirley Hook, and I'm on Council of Chiefs of the Kawasaki TACOS.

0:5:23.770 --> 0:5:33.360

doug bent (Guest)

And our uh comment today has to do with the tobacco and the legalization of people under 21 to use it.

0:5:35.340 --> 0:5:54.140

doug bent (Guest)

It is a we have a tribal garden in West Braintree and I thought garden, we grow a lot of different vegetables that most of them have an AKI. And one of those crops that we do grow is tobacco and we have.

0:5:55.20 --> 0:6:0.250

doug bent (Guest)

You know, members of the tribe with their children there and, you know, we teach gardening.

0:6:0.750 --> 0:6:32.100

doug bent (Guest)

Uh, and we go right through from planting all the way to harvest and the preservation of the crops after we harvest. We, you know, we teach how to can and preserve the food and drying or whatever. And tobacco is one of the, you know, crops that we hang up to dry in the fall and the kids are all there and and the tobacco they learned in an early age as a as a cultural way of giving thanks I guess would say.

0:6:32.410 --> 0:6:44.870

doug bent (Guest)

Anytime we have a ceremony at like at planting, when they get ready to plant, we'll spread tobacco over the garden and ask for a plentiful crop.

0:6:44.960 --> 0:6:49.80

doug bent (Guest)

Uh, and also, as she was in ceremonies.

0:6:52.20 --> 0:6:59.890

doug bent (Guest)

You know, and like I say, all the kids are there and and they are taught that the tobacco is a sacred thing.

0:7:1.30 --> 0:7:3.620

doug bent (Guest)

And to go to give thanks in our culture.

0:7:5.400 --> 0:7:33.810

doug bent (Guest)

So it's very important to us that this law making exemption for the Abenaki. Ohh, and that way that we could use it and not feel, I guess, threatened with law coming down on that's what you I don't know if they would or not but but still it is a law that they can't use it and we don't like to cheat our children to be unlawful. So I I guess that's my take yeah that's fairly get anything done here or.

0:7:33.910 --> 0:7:54.680

doug bent (Guest)

No. If they take away these ceremonial that items like tobacco and whatever, it's a little piece of us taken each time. So if we really would like to have it, so put it in a build that we can actually the children can use the tobacco as far as ceremonial purposes.

0:7:56.840 --> 0:8:0.570

doug bent (Guest)

OK. I guess if you have any questions, we'll be happy to try to answer them.

0:8:2.180 --> 0:8:19.740

DLL - BARR 1311 Rt 302 Boardroom

Well, we won't be engaging in any questioning. This is certainly a public comment. So your public

comment has logged. Could I just ask you because I think at the start when there was a muting issue, could I just get you to state your name for the record, Sir, because I just want to make sure we get it codified.

0:8:20.640 --> 0:8:23.860

doug bent (Guest)

OK, yeah, I'm Douglas, bent, BENT.

0:8:25.870 --> 0:8:27.390

DLL - BARR 1311 Rt 302 Boardroom

OK. Thank you very much Sir.

0:8:26.110 --> 0:8:28.560

doug bent (Guest)

Remember the remember the calls? I gotta go with you.

0:8:33.10 --> 0:8:33.660

DLL - BARR 1311 Rt 302 Boardroom

OK.

0:8:38.220 --> 0:8:43.50

DLL - BARR 1311 Rt 302 Boardroom

Moving on, if anyone else online would like to.

0:8:44.370 --> 0:8:55.600

DLL - BARR 1311 Rt 302 Boardroom

Get public comment on the record again. If you just use either raise your hand using the hand feature or you certainly can speak up and ask to be recognized and go on record.

0:9:7.920 --> 0:9:16.330

DLL - BARR 1311 Rt 302 Boardroom

Hearing none yet at this time, we do have a few people in person in the office, so we'll transition back to the in person public comment.

0:9:17.620 --> 0:9:22.760

DLL - BARR 1311 Rt 302 Boardroom

If either of you would like to introduce yourselves and make comment, you're you're certainly welcome too.

0:9:24.10 --> 0:9:24.960

DLL - BARR 1311 Rt 302 Boardroom

Yeah, that's great.

0:9:26.0 --> 0:9:27.770

DLL - BARR 1311 Rt 302 Boardroom

Yes, thank you for having us.

0:9:30.700 --> 0:9:36.230

DLL - BARR 1311 Rt 302 Boardroom

I'm Erin Siegrist, president of Vermont retailing brochures association. I didn't send.

0:9:36.310 --> 0:9:42.480

DLL - BARR 1311 Rt 302 Boardroom

It's kinda nice to meet you. Nice to meet you, Aaron, for having us. Absolutely.

0:9:43.530 --> 0:9:47.60

DLL - BARR 1311 Rt 302 Boardroom

I did send you comments, but I figured I'd read them into the record as well.

0:9:47.650 --> 0:9:48.220

DLL - BARR 1311 Rt 302 Boardroom

And.

0:9:49.540 --> 0:9:55.650

DLL - BARR 1311 Rt 302 Boardroom

I again will apologize for missing these discussions throughout the summer. It's we've we've all been short staffed so.

0:9:56.230 --> 0:10:2.140

DLL - BARR 1311 Rt 302 Boardroom

Umm, I do anticipate that this type of change is a legislative change rather than.

0:10:2.670 --> 0:10:8.510

DLL - BARR 1311 Rt 302 Boardroom

And something within a rule change and I'm speaking specifically to.

0:10:9.710 --> 0:10:12.750

DLL - BARR 1311 Rt 302 Boardroom

New Section 26 which would.

0:10:13.690 --> 0:10:17.700

DLL - BARR 1311 Rt 302 Boardroom

And essentially it states no licensee shall.

0:10:18.510 --> 0:10:29.210

DLL - BARR 1311 Rt 302 Boardroom

Sell beverage, alcohol, tobacco products, tobacco substitutes, tobacco paraphernalia or other tobacco products at a price lower than the price in effect at the time of purchase from the wholesale dealer.

0:10:29.920 --> 0:10:46.980

DLL - BARR 1311 Rt 302 Boardroom

And as I shared with you with comments, there are a couple of concerns. If a product is being discontinued, retailers would prefer to sell such products that are reduced rate in order to move them instead of having to simply throw them out, that is to.

0:10:48.140 --> 0:10:56.570

DLL - BARR 1311 Rt 302 Boardroom

Make some of the the money back that they had lost due to purchasing them from the wholesaler.

0:10:57.440 --> 0:11:16.350

DLL - BARR 1311 Rt 302 Boardroom

Done. And then also we do have concern about the administrative burden that it will impose managing the the pricing will impose on not only the the department but also the retailers and distributors as I'm sure you're you know.

0:11:18.30 --> 0:11:23.430

DLL - BARR 1311 Rt 302 Boardroom

You know, there's a a lack of exclusive franchise territory for tobacco products in Vermont.

0:11:24.10 --> 0:11:24.600

DLL - BARR 1311 Rt 302 Boardroom

Umm.

0:11:25.350 --> 0:11:53.60

DLL - BARR 1311 Rt 302 Boardroom

With tobacco, there are multiple distributors and retailers work with several distributors. So administratively, you know, I envision this as retailers would have to keep spreadsheets and then you guys would have to be managing those. So I I would just question who would be managing that administrative responsibility and what would you anticipate that administrative responsibility would look like.

0:11:53.570 --> 0:12:0.740

DLL - BARR 1311 Rt 302 Boardroom

And especially now when there are price changes happening so rapidly and so often.

0:12:1.270 --> 0:12:7.760

DLL - BARR 1311 Rt 302 Boardroom

And you know, we anticipate that it's a significant lift not only for retailers, but also the department, so.

0:12:9.80 --> 0:12:18.860

DLL - BARR 1311 Rt 302 Boardroom

I don't wanna read off of my my statement, but I will resubmit that in writing. I'm happy to take questions but but we do have significant concern with this proposed change.

0:12:20.210 --> 0:12:20.820

DLL - BARR 1311 Rt 302 Boardroom

Understood.

0:12:24.20 --> 0:12:33.130

DLL - BARR 1311 Rt 302 Boardroom

OK, we're not gonna have any questioning from us. So that you know, the public comment meeting is just simply get public input on the record. We certainly can have some dialogue, but for now.

0:12:34.290 --> 0:12:36.880

DLL - BARR 1311 Rt 302 Boardroom  
If that rapture coming, we'll log it in.

0:12:37.790 --> 0:12:39.470

DLL - BARR 1311 Rt 302 Boardroom  
OK, you're very welcome.

0:12:43.20 --> 0:13:1.80

DLL - BARR 1311 Rt 302 Boardroom

You're up if you're interested in speaking. I don't have a comment. Chief. Dennis map. OK. Hey, Matt. More. We have clients on that issue, but also work with Southern Glazers and also most of course. So just generally, OK, you're listening and see what other comments come in and say hello. I understood. OK. Thank you.

0:13:2.760 --> 0:13:19.930

DLL - BARR 1311 Rt 302 Boardroom

Yeah, that is the width and breadth of physical attendees at this point. There are a few more people online. I certainly wanna give every opportunity for public comment. So we'll transition back to online attendees if anyone would like to log public comment, you are welcome to do so.

0:14:45.530 --> 0:14:47.320

DLL - BARR 1311 Rt 302 Boardroom  
Nobody else outside? No. OK.

0:14:48.460 --> 0:14:54.30

DLL - BARR 1311 Rt 302 Boardroom

Well, hearing no additional comments from any online attendees and we have no one else physically present.

0:14:55.600 --> 0:15:24.470

DLL - BARR 1311 Rt 302 Boardroom

I will be wrapping this public comment session. I appreciate everyone's comments. I appreciate everyone's time. Thank you all for attending and one last comment relative to the department's room making process, we have yet to establish a time in which a final proposed rule will be filed with the Secretary of States and the Legislative Committee on Administrative Rules. We are certainly going to take all received input and.

0:15:26.360 --> 0:15:39.930

DLL - BARR 1311 Rt 302 Boardroom

Consider input and then when we say we, it would be the Commissioner in the board will consider all public comment and and input and that and when the department is ready to make a final proposed rule that will be publicized on our website as well.

0:15:40.580 --> 0:15:44.50

DLL - BARR 1311 Rt 302 Boardroom

So thank you all for your time. I appreciate it and we'll wrap our meeting.



0:15:57.400 --> 0:15:58.310

DLL - BARR 1311 Rt 302 Boardroom

Once didn't get a crap.